

## TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Confirmatory Nunc Pro Tunc Assignment Effective 09/23/1999		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
U.S. Bancorp	FORMERLY FirsTier, Inc. and FirsTier Financial, Inc.	02/28/2008	CORPORATION: DELAWARE
U.S. Bank National Association		02/28/2008	federally chartered bank:
RECEIVING PARTY DATA			
Name:	FirsTier Bank (f/k/a Firststate Bank of Colorado)		
Street Address:	11210 Huron Street		
City:	Northglenn		
State/Country:	COLORADO		
Postal Code:	80234		
Entity Type:	CORPORATION: COLORADO		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1453739	FIRSTIER	
CORRESPONDENCE DATA			
Fax Number:	(703)610-6200		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	7036106100		
Email:	boxip@hhlaw.com		
Correspondent Name:	Timothy J. Lyden		
Address Line 1:	8300 Greensboro Drive, Suite 1100		
Address Line 2:	Box Intellectual Property		
Address Line 4:	McLean, VIRGINIA 22102		
ATTORNEY DOCKET NUMBER:	24046.02		
NAME OF SUBMITTER:	Timothy J. Lyden		
Signature:	/Timothy J. Lyden/		

TRADEMARK

900130446

REEL: 003960 FRAME: 0796

CH \$40.00 1453739

Date:

03/30/2009

Total Attachments: 2

source=DOC324#page1.tif

source=DOC324#page2.tif

## **NUNC PRO TUNC ASSIGNMENT**

WHEREAS, U.S. Bancorp (f/k/a FirstTier, Inc. and FirstTier Financial, Inc.), a Delaware corporation, was the owner of the mark FIRSTIER (Stylized) and the federal registration for FIRSTIER (Stylized) (U.S. Reg. No. 1,453,739) (the referenced mark and registration, collectively, the "Mark");

WHEREAS, U.S. Bancorp and U.S. Bank National Association, a federally chartered commercial bank, entered into a certain agreement (the "Agreement") dated as of September 17, 1999 by and between themselves (collectively, "Assignor") and Firststate Bank of Colorado, a Colorado corporation, pursuant to which, among other things, the Mark was assigned to Firststate Bank of Colorado;

WHEREAS, on October 15, 1999, Firststate Bank of Colorado changed its name to FirstTier Bank ("Assignee");

WHEREAS, on May 31, 2001, U.S. Bancorp inadvertently included the Mark among other marks assigned to U.S. Bancorp Licensing, Inc., a Minnesota Corporation, which assignment was recorded at Reel/Frame 2360/0813;

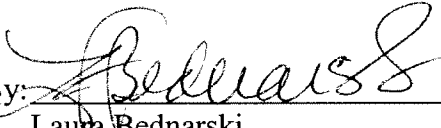
WHEREAS, on February 6, 2007, U.S. Bancorp Licensing, Inc. inadvertently included the Mark among others assigned to U.S. Bank N.A., which assignment was recorded at Reel/Frame 3481/0417; and

WHEREAS, the parties are desirous of ratifying and confirming said 1999 sale, assignment and transfer of all right, title and interest in and to said Mark and the goodwill symbolized thereby, acknowledge the erroneous references to the Mark in subsequent transfers outside the chain of title in 2001 and 2007, and therefore Assignor wishes to confirm and re-assign to Assignee all of Assignor's right, title, and interest in and to the Mark, subject to the terms of the Agreement, and the registration therefor, nunc pro tunc, as of September 23, 1999.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor has assigned and hereby sells, assigns, transfers and sets over to Assignee, nunc pro tunc as of September 23, 1999, the entire right, title, interest in and to the Mark, subject to the terms of the Agreement, U.S. Trademark Registration Number 1,453,739, and the goodwill of the business connected with the Mark, the same to be held and enjoyed by Assignee, its successors, assigns and other legal representatives.

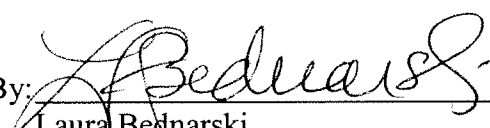
This Assignment shall be binding upon the parties, their successors and/or assigns and all others acting by, through, with or under their direction, and all those in privity therewith.

U.S. BANCORP

By:   
\_\_\_\_\_  
Laura Bednarski  
Vice President and Assistant Secretary

Date: 02-28-08

U.S. BANK, N.A.

By:   
\_\_\_\_\_  
Laura Bednarski  
Vice President and Assistant Secretary

Date: 02-28-08